



UNITED STATES MARINE CORPS
OFFICE OF THE STAFF JUDGE ADVOCATE
1ST MARINE DIVISION
BOX 555452
CAMP PENDLETON, CA 92055-5452

IN REPLY REFER TO:
5720
SJA

JUL 13 2020

Mr. Richard A. Kearney Jr.
101 Boathouse Way
Stafford, VA 22554

Dear Mr Kearney Jr.:

SUBJECT : YOUR FREEDOM OF INFORMATION ACT CASE DON-USMC-2020-009452

This is a response to your Freedom of Information Act (FOIA) request for "a redacted copy of the investigation to include the SAIDA (Sexual Assault Initial Disposition Authority) letter." The First Marine Division, Marine Corps Base Camp Pendleton, FOIA Coordinator, received your request on 17 June 2020 and assigned file number DON-USMC-2020-009452.

Pursuant to procedures established in Secretary of the Navy Instruction 5720.42F, we have determined that portions of the responsive records are not subject to release. Accordingly, we must partially deny your request.

Our review of this record reveals that they contain personal identifiers of third parties, the release of which would constitute an unwarranted invasion of personal privacy. Accordingly, we must withhold this information pursuant to exemptions (b)(6) of the FOIA (5 U.S.C. § 552).

In view of the above, you may consider this to be an adverse determination that may be appealed to the Department of the Navy, Office of the Judge Advocate General, General Litigation Division (Code 14), 1322 Patterson Ave., SE, Suite 3000, Washington Navy Yard, D.C. 20374-5066. Your appeal, if any, must be postmarked within 90 calendar days from the date of this letter and should include a copy of your initial request, a copy of this letter, and a statement indicating why you believe it should be granted. We recommend that your appeal and its envelope both bear the notation "Freedom of Information Act Appeal."

You also have the right to seek assistance and/or dispute resolution services from the Marine Corps FOIA Public Liaison, Ms. Sally Hughes, at hqmcfoia@usmc.mil or (703) 614-4008, and/or the Department of the Navy FOIA Public Liaison, Mr. Christopher Julka, at Christopher.a.julka@navy.mil or (703) 697-0031. You may also contact the Office of Government Information Services for assistance and/or dispute resolution at ogis@nara.gov or 1-877-684-6448. For more information online about services provided by OGIS, please visit their website at <https://ogis.archives.gov>.

There are no assessable fees associated with the processing of your request. Any questions concerning this matter should be directed to the Office of the Staff Judge Advocate 1st Marine Division, Captain Jason Wandrey, at (760) 725-5980 or via email at 1MARDIV_OSJA@USMC.MIL.

Sincerely,

P. D. HOUTZ
Lieutenant Colonel, U.S. Marine Corps
By direction of the
Commanding General

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